

**SERIOUSNESS LEVEL 3**  
Effective date January 1, 1994

Criminal History Score	0	1	2	3	4	5+
Presumptive Sentence	RCF* AS	RCF* AS	PEN 18 RCF* AS	PEN 30 RCF* AS	PEN 42 RCF* AS	PEN 60 RCF* AS
Minimum Time Served Prior to Transfer Eligibility			PEN 3	PEN 5	PEN 7	PEN 10
Presumptive Range			PEN 17.10- 18.90	PEN 28.50- 31.50	PEN 39.90- 44.10	PEN 57-63

AS = Alternative Sanctions, RCF = Regional Correctional Facilities

PEN = Penitentiary Only

ALL SENTENCE DURATIONS ARE SHOWN IN MONTHS COMMITTED

Level 3 offenses (list not complete, see table for other offenses)

Target Offenses underlined - see grid policy on use of Regional Correctional Facilities

5 13 204	D	Aggravated Assault
5 26 401	D	<u>Non-Support</u>
5 36 103	C	<u>Theft of Property</u>
5 36 104	C	<u>Theft of Services</u>
5 36 106	C	<u>Theft by Receiving</u>
5 36 115	C	<u>Theft of Leased/Rented Property</u>
5 37 201	C	<u>Forgery II</u>
5 37 207	C	<u>Fraudulent Use of a Credit Card</u>
5 37 302	C	<u>Hot Check/Personal Services</u> (\$200 - \$2500)
5 38 203	C	<u>Criminal Mischief I</u>
5 39 202	D	<u>Breaking or Entering</u>
5 64 401	C	<u>Possession Control/Counterfeit Subst W/O Prescription (Third Offense)</u>
5 64 401.7	C	<u>Manufacture/Delivery/Possession</u> <u>Marijuana &lt;10 lbs</u>
5 65 103	U	<u>DWI, Violation of Omnibus Act</u> [See statute for penalty range] <u>(Fourth Offense)</u> [RCF by judicial transfer only]

Transfer Eligibility - one third of time imposed minus good time of up to one half, i.e. one sixth of time imposed if offender earns maximum good time

Classification of crimes at this level and statutory range:

Class	Normal range	Habitual §(a)	Habitual §(b)	Habitual §(c)	Habitual §(d)
C	3-10	3-20	3-30	n/a	25-40
D	0- 6	0-12	0-15	n/a	20-40